

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

DONNA LANGAN, TERESA DE	§	
BARBARAC, and ALEXANDRA CARSON,	§	
<i>Plaintiffs,</i>	§	
	§	
v.	§	
	§	CASE NO. 1:20-cv-275-RP
GREG ABBOTT, in his Official Capacity as	§	
Governor of Texas; and KEN PAXTON, in his	§	
Official Capacity as Attorney General of Texas	§	
<i>Defendants.</i>	§	

**UNOPPOSED MOTION TO STAY PRETRIAL PROCEEDINGS
PENDING RULING ON MOTION TO DISMISS**

Plaintiffs filed this suit on March 16, 2020, challenging the constitutionality of Texas's name-change statute, codified in Chapter 45 of the Family Code, on Eighth Amendment grounds. On April 17, 2020, the Court issued an Amended Emergency Order in Light of the COVID-19 Pandemic requiring parties to file an agreed proposed scheduling order by June 1, 2020, for early-stage cases in which no proposed scheduling order had been filed. (Dkt. 4). On May 15, 2020, Defendants filed a Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(1). (Dkt. 5). This Court granted Defendants' unopposed request to stay the deadline to submit a proposed scheduling order, making the new deadline 14 days after the Court issued its order on the Motion to Dismiss.

On June 5, Plaintiffs filed a Motion for Leave to file their First Amended Petition (Dkt. 8), which was granted by the Court on June 8. The Court also entered a text order denying the Motion to Dismiss as moot in light of Plaintiffs' amended pleading. On June 22, Defendants filed their Motion to Dismiss Plaintiffs' First Amended Complaint (Dkt. 11).

In the interest of judicial economy, Defendants request that all deadlines in this case, including the filing of an agreed scheduling order, be stayed pending resolution of the threshold issues presented by their Motion to Dismiss Plaintiffs' First Amended Complaint. Accordingly, Defendants respectfully request that the Court continue the deadline for the parties to file their proposed scheduling order until 14 days after the Court has issued its order on the pending Motion to Dismiss, to save the parties and the Court any unnecessary time, burden, or expense.

Respectfully submitted.

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Attorney General of Texas

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/s/ Kimberly Gdula
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ATTORNEYS FOR DEFENDANTS
GOVERNOR GREG ABBOTT AND
KEN PAXTON, ATTORNEY GENERAL OF TEXAS

CERTIFICATE OF CONFERENCE

I hereby certify that on June 22, 2020, I conferred with Brian McGiverin, counsel for Plaintiffs, via email regarding the substance of the foregoing instrument. He stated that Plaintiffs are not opposed to the relief requested herein.

/s/ Kimberly Gdula

KIMBERLY GDULA

Assistant Attorney General

CERTIFICATE OF SERVICE

I hereby certify that on June 23, 2020, I electronically filed the foregoing instrument with the Clerk of the Court using CM/ECF which will send electronic notification of such filing to all registered counsel.

/s/ Kimberly Gdula

KIMBERLY GDULA

Assistant Attorney General